## REMARKS

The Examiner rejected Claims 3 and 4 under 35 U.S.C. 103(a) as being unpatentable over US 6,691,070 by Williams, *et al* (hereafter "Williams") in view of US 6,405,111 by Rogers, *et al* (hereafter "Rogers"). Applicant traverses this rejection.

The Examiner argues that the data collectors shown at 18 and 19 are data collection nodes according to Claim 3. The Examiner argues that such nodes are small computers that include an interface to a sensor and an interface to a network. Here, the Examiner is identifying the low voltage wires from the data collectors to interface 20 as the network recited in the claim. It follows that the data collectors must also be the controller as recited in the claim. To satisfy the claim, the data collectors would need to communicate with interface 20 via HTTP. The Examiner admits that there is no such teaching in Williams. The Examiner looks to Rogers as providing the missing teaching. Rogers teaches the use of HTTP for communications over the Web.

The issue here is not whether HTTP is known as a computer communication protocol, but rather whether one would use that protocol for the communications between interface device 20 and data collector 18. The Examiner has the burden of showing that there is some suggestion in the art that would cause someone of ordinary skill to modify the teachings of Williams to include sending messages in HTTP between data collector 18 and interface 20. Furthermore, there must be a reasonable expectation of success in making the modification in question.

First, the Examiner has not pointed to any teaching in Williams that the data collectors or interface device 20 can support an HTTP protocol over the wires identified by the Examiner. HTTP requires a packet network. Hence, the data collectors and interface device would need to have hardware for implementing a packetized communication stream. The Examiner has not pointed to any teaching in Williams that such an interface is present. Hence, the Examiner has not shown that there is a reasonable expectation of success in making the modification suggested by the Examiner.

5

Second, it should be noted that communication via HTTP requires significant computational resources. Hence, there would need to be some particular benefit for the device taught in Williams to utilize that protocol in order to offset the increased cost. The Examiner looks to statements in Rogers that the method therein used WWW technology, namely the use of HTML, to speed development and make it easier to share information with remote computer systems. This might be a good reason to include an HTML capacity in processor 42 for communicating with other computers over network 44, which provides connections to a large variety of different computer types. However, Williams teaches away from adding any additional functionality of processor 42. In particular, Williams teaches that processor 42 is configured to have as few necessary functions as possible and that once processor 42 is configured and validated, the configuration of processor 42 is frozen (Col. 7, lines 25-43). In the system taught in Williams, the remote interface unit 46 is the unit that requires the development capability referenced by the Examiner. In fact, the whole thrust of the invention taught in Williams is directed to avoiding changes in processor 42 and the software running on it.

Furthermore, the improved development capacity taught in Rogers is not the function of the HTTP protocol in Rogers. In fact, Rogers teaches that any substantially equivalent protocol can be used in place of HTTP. There are numerous such protocols. Rogers teaches that it is the use of HTML that provides the advantages. HTML is a high level language requiring sufficient computational resources to implement a high level language translator. Such translators are updated quite often, and hence, including such a system in processor 42 would require processor 42 to be updated periodically. However, Williams teaches that the advantage of the system taught therein is the ability to avoid such updates, since they require revalidation of the processor. Hence, if anything, Williams teaches away from the system proposed by the Examiner. Accordingly, Applicant submits that the Examiner has not made a *primia facia* case for obviousness with respect to Claim 3 and Claim 4, which depends therefrom.

The Examiner rejected Claim 5 under 35 U.S.C. 103(a) as being unpatentable over Williams in view of US 6,920,495 by Fuselier, *et al* (hereafter "Fuselier"). Applicant traverses this rejection.

6

Claims 5 requires that the controller communicate with the server via a proxy server on the computer network. That is, there would need to be a proxy server on the "network" connecting the data collectors to interface 20. The Examiner admits that Williams does not teach such a server. The Examiner looks to Fuselier as teaching that proxy servers are used to forward messages through firewalls normally implemented on servers to protect the servers from unauthorized access. The Examiner maintains that it would be obvious to include a proxy server on the "network" to prevent unauthorized access.

It should be noted that unauthorized access from the "network" identified by the Examiner to processor 42 is not possible, since that "network" is a set of dedicated wires that connects the data collectors to interface 20 through some unspecified form of low-voltage wiring. These wires are not accessible from computers that are on a public network. Hence, there is no reason to include a proxy server in that "network", since there is no reason to install a firewall between the data collectors and processor 42. Thus, the Examiner's motivation for altering the teachings of Williams to include a proxy server between data collector 18 and interface 20 is flawed. In addition, if anything, Williams teaches away from such an alteration, since, as noted above, Williams teaches that one should minimize the functions on processor 42, and including an unnecessary interface between interface 20 and processor 42 violates that teaching. Accordingly, Applicant submits that the Examiner has not made a *primia facia* case for obviousness.

The Examiner rejected Claims 6 and 7 under 35 U.S.C. 103(a) as being unpatentable over Williams in view of US 6, 085,243 by Fletcher, *et al* (hereafter "Fletcher"). Applicant submits that Claims 6 and 7 as amended above are patentable over the cited references.

In particular, Claim 6 has been amended to require that the network include a segment that is part of the Internet. The network identified by the Examiner in Williams clearly does not satisfy this limitation. Accordingly, Claim 6, and Claim 7, which depends therefrom, are patentable over the cited references.

The Examiner rejected Claims 8-11 and 15 under 35 U.S.C.103(a) as being unpatentable over Williams in view of US 6,490,617 by Hemphill, *et al* (hereafter "Hemphill"). Applicant traverses this rejection.

7

With respect to Claim 8, the server is required to provide a web page for the controller in response to receiving a registration message from the controller. The controller is then caused to send data to the server after the registration message has been sent.

The Examiner admits that Williams does not disclose that the server receives a registration message from any of the data collectors that the Examiner identifies as the controllers. The Examiner looks to Hemphill as providing the missing teachings. Specifically, the Examiner points to the passage in col. 5, lines 3-29 as teaching that the server in Hemphill makes the data from a device available on a web page. First, the claim requires the server to provide a web page for accessing data generated by the controller **in response to a registration message** from the controller, not merely to display the data on a web page. The Examiner has not pointed to any suggestion in either reference of the server providing a web page for a data collector in response to receiving a message from that collector. Second, as pointed out above, Williams teaches that the configuration of processor 42 is fixed, and hence, the processor already knows the identity of the data collectors. Thus, there is no need for the data collectors to send a registration message to processor 42. Accordingly, Applicant submits that the Examiner has not made a *primia facia* case for obviousness with respect to Claim 8 or the claims dependent therefrom.
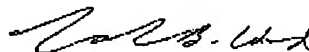
With respect to Claim 10, the claim requires that the communications on the network utilize HTTP in addition to the limitations of Claim 8 discussed above. Applicant repeats the arguments made above with respect to the rejection of Claim 3 and the missing teachings with respect to communication via HTTP. Hence, there are additional grounds for allowing Claim 10.

The Examiner rejected Claim 12 under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Hemphill as applied to Claim 8 above, and further in view of Fuselier. Applicant traverses this rejection and repeats the arguments made above with respect to the rejection of Claim 5. Hemphill does not provide the missing motivation. Accordingly, Applicant submits that the Examiner has not made a *primia facia* case for obviousness with respect to Claim 12.

8

The Examiner rejected Claims 13 and 14 under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Hemphill as applied to claim 8 above, and further in view of Fletcher. Applicant traverses this rejection. Applicant repeats the arguments made above with respect to the rejection of Claim 8 from which these claims depend. Fletcher does not provide the missing teachings. Accordingly, Applicant submits that the Examiner has not made a *primia facia* case for obviousness with respect to Claims 13 and 14.

I hereby certify that this paper is being sent by FAX to 571-273-8300.

Respectfully Submitted,

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9